

REMARKS

Reconsideration and allowance of all claims is requested.

The claims have been amended to avoid the claim objections on page 2.

In the present invention the compression area for a hernia is made with a high percentage of elastic yarns and with a compact knitted structure and a firm, tight stitch pattern.

In contrast, the cited Browder '888 [0017] uses "a second yarn to form the spot control area 24 of two spun strands of 60 denier 68 filament nylon yarn." Browder '888 col. 3, line 66 - col. 4, line 1.

In Browder '888 the "spot control area contains both yarns as shown in Fig. 5." Col. 4, lines 1-2, Fig. 5 shows heavy X's, which apparently represent the heavier inelastic "two spun strands of 60 denier 68 filament nylon yarn."

The examiner's statement beginning on line 3 near the top of page 4 of the office action that "The abdominal area (24) is formed of fixed elastic yarns (col. 3, line 64) that is not found in other areas of the garment" is apparently not in keeping with Browder's inelastic "two spun strands of 60 denier 68 filament nylon yarn." See col. 3, line 64 - col. 4, line 1.

Browder's heavier yarn knit in col. 2, line 2-5 apparently refers to the inelastic "two spun strands of 60 denier 68 filament nylon yarn."

Browder's column 4, lines 1 and 2 particularly refers to the "two spun strands of 60 denier 68 filament nylon yarn", which are inelastic.

Heavy 60 denier 68 filament nylon yarns are used for example in carpets.

Claims 1-4, 6-7, 9-11, 13, 16, 20 and 23-24 distinguish the invention from Browder in the following points. Claims 1-4, 6-7, 9-11, 13, 16, 20 and 23-24 are patentable under 35 U.S.C. 102(b).

Claim 1 points out, for example, the previously selected hernia compression area being formed with elastic yarns of 100-300 dtex, with a higher percentage of elastic yarns with a compact knitted structure and a firm, tight stitch pattern with a weight of 250-450 g/m². That is not found in Browder '888.

Claims 2 and 4 add to claim 1 that the article is extended and heat fixed on a form, which makes a few sizes convertible to many sizes, for example. That is not found in Browder '888.

Claims 3 and 4 add to claim 1 that a lower area of the tubular item is sewn together to form a panty. That is not found in Browder '888 or its flap 22.

Claim 6 adds to claim 1 that the article of clothing is made by a circular knitting machine and a rectilinear knitting machine. That is not found in Browder '888.

Claim 7 adds to claim 1 the extension and fixation is with varied intensity across the body. That is not found in Browder '888.

Claim 9 distinguishes the invention from Browder '888 for example by pointing out the higher percentage of elastic yarns in the compression area. That is not found in Browder '888.

Claim 10 adds to claim 9 that the article is extended and heat fixed, which makes a few sizes convertible to many sizes, for example. That is not found in Browder '888.

Claim 11 adds to claim 9 that a lower area of the tubular item is sewn together to form a panty. That is not found in Browder '888.

Claim 13 adds to claim 9 that in the circumferential direction the fabric has a force-elongation curve including a largely flat curve pattern. That is not found in Browder '888.

Claim 16 adds to claim 1 and 15 that the elastic yarns in the compression area have a thickness of 100 to 250 dtex. That is not found in Browder '888.

Claim 20 and 24 add to claim 9 that the yarns in the preselected compression area have a thickness of 100 to 350 decitex (claim 20) and that the preselected compression area compresses between 30 and 50% elastic yarns (claim 23). Those features are not found in Browder '888.

Claim 23 adds to claim 1 that the preselected compression area compresses between 30 and 50% elastic yarns. That feature is not found in Browder '888.

The subject matter of claim 5 would not have been obvious from a combination of Browder '888 and Sinigagliesi. Claim 5 is patentable under 35 U.S.C. 103(a).

Since Sinigagliesi provides an opening 13 in the front of the lower portion (Fig. 4, col. 2, lines 54-55), however that opening is not in the groin area, which is sewn together as pointed out in claims 5 and 3.

The subject matter of claims 18, 21 and 22 would not have been obvious from Browder '888. Claims 18, 21 and 22 are patentable under 35 U.S.C. 103(a).

There is no mention of the weight per square meter of claims 17 and 18, 21 and 22 in Browder '888.

Applicant traverses the rejection of those claims without citing art.

CONCLUSION

Reconsideration and allowance of all claims are requested.

Respectfully,

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